

July 21, 1997

VIA CERTIFIED U.S.P.S.MAIL

Mr. William F. Canton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

RECEIVED
JUL 23 1997
FCC

Attention: Stop Code 1800D5
Allocations Branch

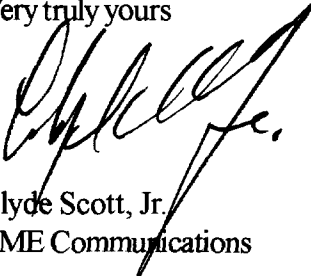
re: Proposed Rule-Making conflict solution, MM Docket 96-253
Bainbridge, Georgia - Paxson Tallahassee License, Inc.

Dear Mr. Canton

Clyde Scott, Jr., DBA EME Communications, hereby transmits to you an original and four copies of a proposed solution to the Rule-making conflict in the above-referenced proceeding.

Please contact the undersigned if there are any questions about the attached comments, technical exhibit, or filing.

Very truly yours



Clyde Scott, Jr.
EME Communications

Enclosures

No. of Copies rec'd
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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

JUL 23 1997

FCC

In the Matter of)	
)	
Amendment of Section 73.202(b))	
Table of Allotments)	MM Docket No. 96-253
FM Broadcast Stations.)	RM-8962
(Bainbridge, Georgia))	

PROPOSED RULE MAKING CONFLICT SOLUTION

EME Communications, (EME), hereby submits the following as a solution to the Rule making conflict that presently exist between Paxson Tallahassee License, Inc. and Chattahoochee Broadcast Associates.

HISTORY:

The former owners of WXSR, Great South Broadcasting, had petitioned the Commission to delete channel 268C2 and add channel 268C1 at Quincy, Florida. (MM Docket 95-82). To achieve this goal, WXSR had to move, at great expense, three (3) FM facilities from there operating channels to other fully spaced channels. This included deleting channel 270C3 and adding channel 289C3 at Monticello, Florida. Before Paxson, the current owners of WXSR, could prepare and submit FCC Form 301, Application for construction permit, to operate as a C1 facility, Chattahoochee Broadcast Associates petitioned the Commission to add channel 270A to Bainbridge, Georgia as that cities third local aural service, and therefore, the present conflict.

On June 25, 1997, The Commission acted on MM Docket 93-270 which substituted channel 237C2 for channel 237C3 at Nashville, Georgia, dismissed and denied proposed allocations at Cordele, Dawson, Montezuma, Hawkinsville, Cusseta, Cuthbert and Leary, Georgia.

In a previous action, The Commission deleted channel 221A and added channel 251A at Dawson, Georgia. FM station WAZE, licensed to Dawson, Georgia, had been silent since 1991, and as a result of the Communications act of 1996, WAZE's license was deleted because the facility did not return to the air in a timely fashion.

In the following Technical Exhibit, EME Communications will show the Commission a solution to the Rule Making conflict that exists at Bainbridge, Georgia. (MM docket 96-253)

Dawson, Georgia.

EME Communications proposes to delete channel 251A and allot Channel 221A to Dawson, Georgia.

Exhibit-1 is a spacing study and visual plot showing that this channel CAN be used at Dawson.

Exhibit-1A is a plot, using the U.S.G.S. 1:500:000 scale Georgia map, that shows compliance the current FCC rules related to the 70 DBu (3.16 Mv/M) service contour over the city of license.

Exhibit 1A utilizes the FCC F-50:50 (50% signal 50% of the time) method.

The proposed site coordinates are North Latitude 31-52-19 and West Longitude 84-18-58.

The proposed coordinates are site restricted approximately 16km Northeast of Dawson.

Bainbridge, Georgia.

EME Communications proposes to allot channel 251A instead of channel 270A at Bainbridge, Georgia. Exhibit-2 clearly shows that channel 251A CAN be substituted without any site restriction.

The Coordinates for Channel 251A are North Latitude 30-55-42 and West Longitude 84-34-27.

Summary:

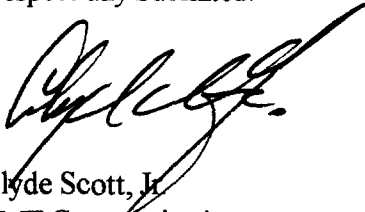
EME Communications proposes to delete channel 251A and add channel 221A at Dawson, Georgia. To substitute channel 251A instead of channel 270A at Bainbridge, Georgia, and grant the proposed application of Paxson Tallahassee License, Inc., current license of FM station WSXR, Quincy Florida. (BPH961230IA) to operate from it's current site as a C1 facility.

Conclusion:

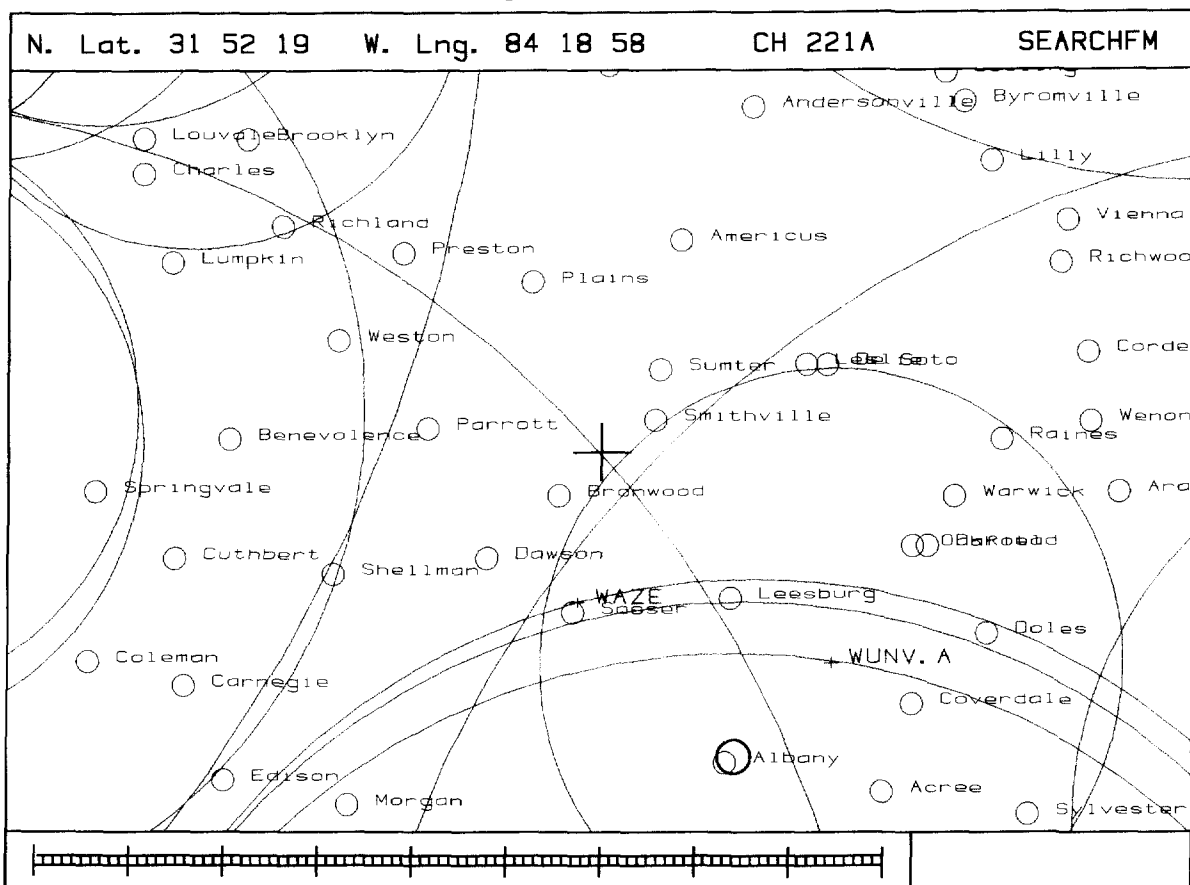
The above technical statement and attached exhibits clearly show a solution to the rule-making conflict that exist in MM docket No 96-253. Therefore, The Commission should GRANT this request to substitute these channels and GRANT the application of Paxson Tallahassee License, Inc., licensee of WXSX.

If the commission does allot channel 221A to Dawson, Georgia, and channel 251A to Bainbridge, Georgia., Clyde Scott, Jr., DBA EME Communications, will prepare an application and file it with the Commission to operate these facilities.

Respectfully Submitted:



Clyde Scott, Jr.
EME Communications
293 JC Saunders Road.
Moultrie, Georgia 31768
912-890-2506
912-985-0864 (Fax)
cscott@surfsouth.com



Call	CH#	Location		D-KM	Azi	FCC	Margin
WAZE	221A	Dawson	GA	16.07	189.0	115.0	-98.93
WJJN	221A	Columbia	AL	115.16	227.8	115.0	0.16
WUNV. A	219A	Albany	GA	33.03	132.2	31.0	2.03
WUNV	219A	Albany	GA	33.03	132.2	31.0	2.03
WDDQ	221A	Adel	GA	119.56	132.8	115.0	4.56
ALOPEN	222A	Pelham	GA	86.90	169.3	72.0	14.90
AP222	222A	Pelham	GA	89.01	170.4	72.0	17.01
WLWIFM	222C	Montgomery	AL	186.95	288.9	165.0	21.95
AP222	222A	Pelham	GA	94.27	171.4	72.0	22.27
WULAFM	224C2	Eufaula	AL	80.33	273.1	55.0	25.33
WVRK	275C	Columbus	GA	66.49	319.1	29.0	37.49
WJGAFM	221A	Jackson	GA	159.22	11.8	115.0	44.22
WMKS	222A	Macon	GA	118.68	32.3	72.0	46.68
WULAFM	224A	Eufaula	AL	79.70	270.6	31.0	48.70
WULAFM	224A	Eufaula	AL	80.33	273.1	31.0	49.33
WULAFM	224A	Eufaula	AL	80.33	273.1	31.0	49.33
WTJB	219A	Columbus	GA	84.29	320.7	31.0	53.29
ALOPEN	223C3	Tifton	GA	100.06	112.9	42.0	58.06
WTJB. C	219A	Columbus	GA	90.92	312.5	31.0	59.92

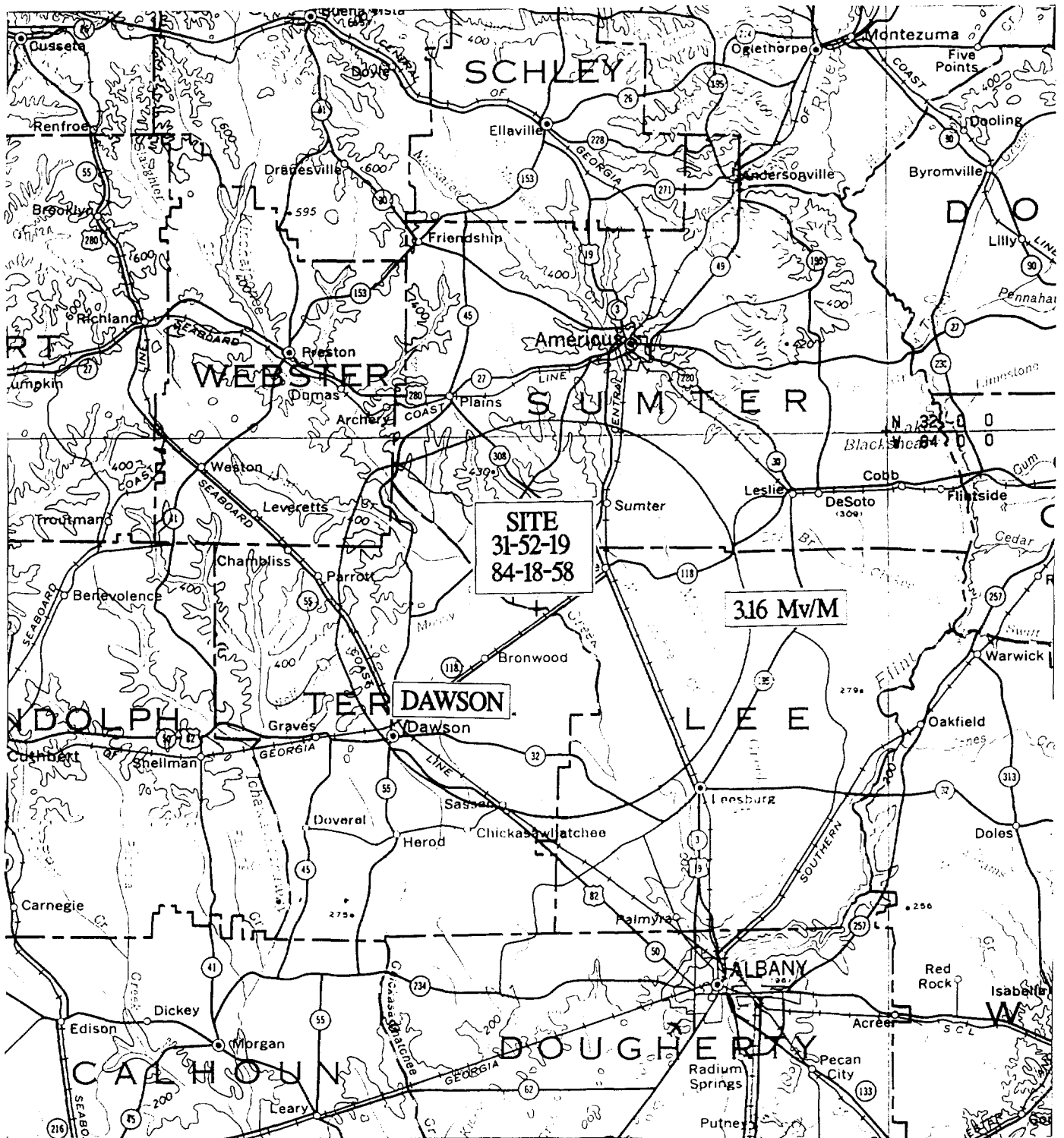


EXHIBIT-1A

CH 221A AT DAWSON GEORGIA
PLOT SHOWING 316 Mv/M CONTOUR
FROM CLEAR AREA USING F-50:50

EME  PROFESSIONAL ENGINEERING SERVICES
FOR THE PROFESSIONAL BROADCASTER

COMMUNICATIONS

293 JC SAUNDERS ROAD
MOULTRIE, GEORGIA 31768
(912)890-2506 (912)985-0864 Fax

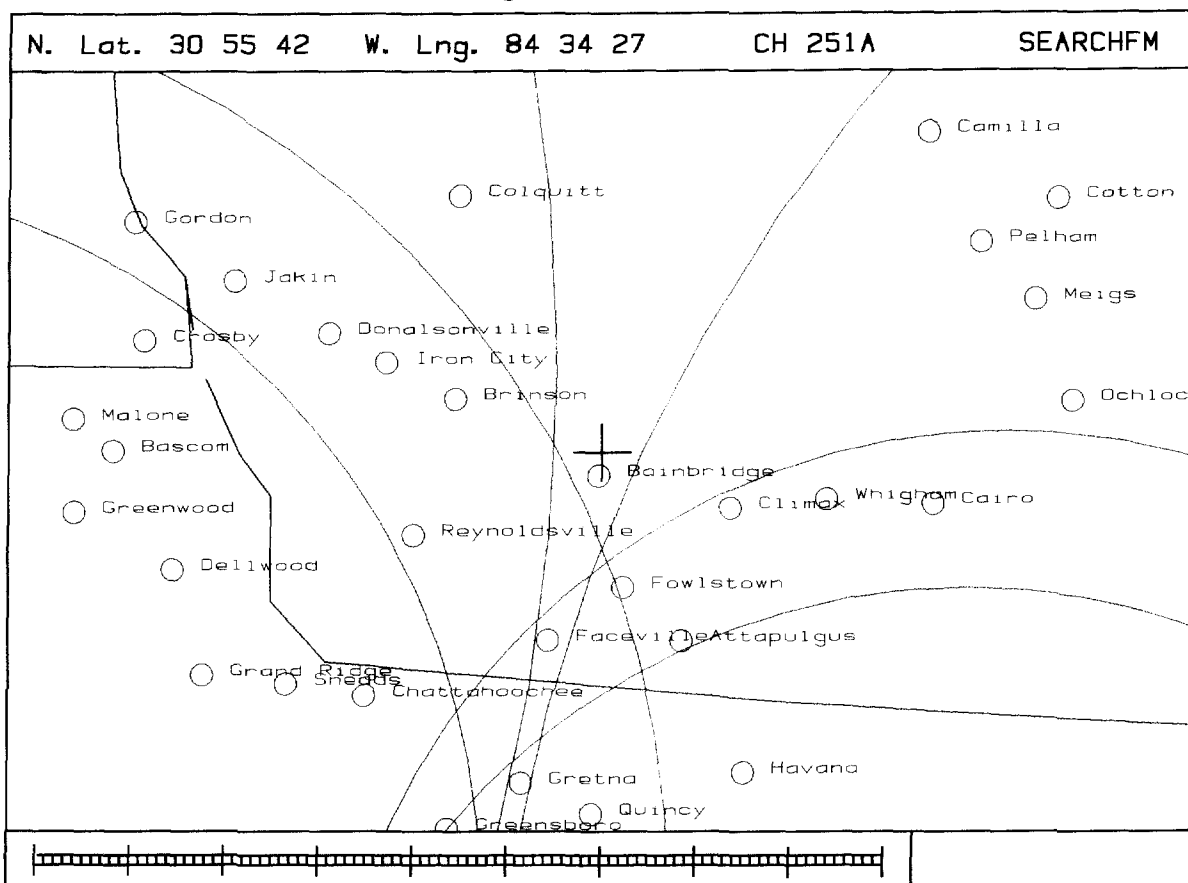


EXHIBIT-2

CH 251A (6KW) - CLEAR AREA TO LOCATE @ BAINBRIDGE GA.

Call	CH#	Location		D-KM	Azi	FCC	Margin
WQHLM	251C2	Live Oak	FL	169.84	114.4	166.0	3.84
WQHLM	251C2	Live Oak	FL	169.84	114.4	166.0	3.84
WFSY	253C	Panama City	FL	99.15	242.3	95.0	4.15
WWSF	251C1	Andalusia	AL	205.03	272.4	200.0	5.03
AD250	250A	Woodville	FL	81.86	148.5	72.0	9.86
AD250	250A	St. Marks	FL	94.50	155.8	72.0	22.50
WTBB	249C1	Bonifay	FL	99.15	242.3	75.0	24.15
WDMT	250A	Eufaula	AL	126.77	331.9	72.0	54.77
WKKN	252A	Cordele	GA	137.39	33.5	72.0	65.39
DE252	252A	Cordele	GA	137.39	33.5	72.0	65.39
DE252	252A	Cordele	GA	137.39	33.5	72.0	65.39

CERTIFICATE OF SERVICE

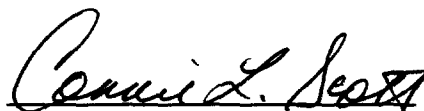
I herby certify that a true and exact copy of the attached proposal as offered by Clyde Scott, Jr. owner of EME Communications was served as indicated below on this day, July 21, 1997.

Roy Simpson
Chattahoochee Broadcast Associates
4143 East River Road
Camilla, Georgia 31730
(via Certified U.S.P.S. Mail)

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Federal Communications Commission
2000 M Street, N.W.
Washington, D.C. 20554
(via Certified U.S.P.S. Mail)

Paxson Communications of Tallahassee
325 John Knox Road - Bldg. G
Tallahassee, Florida 32303
(via Certified U.S.P.S. Mail)

Mr. William F. Canton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554
(via Certified U.S.P.S. Mail)

A handwritten signature in cursive script, reading "Connie L. Scott". The signature is written in dark ink and is positioned above the printed name.

Connie L. Scott

AFFIDAVIT AND QUALIFICATIONS OF PREPARER

State Of Georgia)
City of Moultrie) §
Colquitt County)

Clyde Scott, Jr. First being duly sworn, Deposes and says he is a Broadcast Engineer, Technical Consultant, and President of EME Communications. He has been engaged to prepare the attached technical exhibit and related statements.

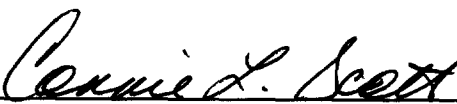
That his qualifications are a matter of record before the Federal Communications Commission and has been active in the Broadcast industry since 1965 and in Broadcast Engineering since 1972. That he is the holder of General Radiotelephone License No. PG-6-30133.

That the attached Technical exhibit was either prepared by him or under his direct supervision. All material, exhibits, and statements hereto are believed to be true and correct.



Clyde Scott, Jr.
Affiant

Subscribed and sworn to before me this day,
July 21, 1997



Notary Public, Colquitt County, Georgia
My Commission Expires Oct. 12, 1999